

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20705

ALI DARWICH,

Defendant.

/

ORDER DENYING DEFENDANT'S ORAL MOTION TO RE-FILE DOCUMENTS

On January 31, 2011, the court issued an order directing Defendant Ali Darwich to cease filing documents pro se while he is represented by counsel. On March 2, 2011, the court granted Defendant's oral motion to represent himself. Thereafter, Defendant orally moved the court to re-file all his stricken documents. The court denied the motion on the record, and memorializes that ruling in this written order.

The court will not order the Clerk of the Court to, essentially, "un-strike" all of the documents which were stricken while Defendant was represented by counsel. First, such a method would create docket confusion and disorganization. All of the documents currently denoted as "Stricken," would contain a subsequent notation of "Un-Stricken" and would only confuse any person attempting to make sense of the docket. Second, the procedural posture of this case has changed since the time Defendant attempted to file any of these documents, and, thus, many of the motions would be moot. For example, any reference to "his attorney" would now be outdated, as Defendant is proceeding pro se. Additionally, before Defendant exercised his right to

represent himself, the court ruled on various motions filed by Defendant's counsel or filed by counsel for the co-defendants in this case. Thus, if any of these issues were raised in Defendant's pro se documents, again these issues may be moot. Thus, it is neither procedurally desirable, nor substantively appropriate to issue a blanket order re-filing all of these motions. For these reasons,

IT IS ORDERED that Defendant's March 2, 2011 oral motion to re-file his stricken documents is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 4, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 4, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522